

**REMARKS/ARGUMENTS**

Favorable reconsideration of the present application is respectfully requested.

Claims 1-20 are currently pending. Claims 1, 9 and 17 have been amended to more clearly recite that the accessory for the air blast device includes a single angle or constant angle divergent segment (B) having an outlet cross-section area (S) that is adapted to produce an instantaneous impact force external to the outlet cross-section (S) from a sudden discharge of a predetermined amount of air. Applicant believes that the claim amendments and arguments presented herein put all of the claims in condition for allowance. Applicant believes that all of the objections and/or rejections from the Office Action dated April 9, 2007 are overcome by the amendments and arguments and respectfully requests that a Notice of Allowance to that effect be issued.

Applicant would like to thank the Examiner for the courtesies extended to Applicant's Representative in a telephone interview on July 9, 2007. In accordance with MPEP §713.04, submitted concurrently herewith is a Statement of Substance of Interview for the interview.

The Examiner has objected to the drawings for not showing that the "cross-section area (E) of the inlet being equal to the cross-section area (S) of the outlet", as recited in Claim 2. Applicant has added new figure FIG. 3, which shows the "cross-section area (E) of the inlet being equal to the cross-section area (S) of the outlet." No new matter has been added. A new drawing sheet is attached hereto and marked as "New Sheet," in accordance with 37 CFR § 1.121(d). Accordingly, Applicant believes the objection to be overcome and respectfully requests the Examiner to formally withdraw the objection and approve the drawings.

Claims 1, 3-7 and 17-19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,050,805 to Lloyd et al. (“Lloyd”). Claims 1 and 17 have been amended to overcome the rejection.

Regarding Claim 1, it has been amended to recite, *inter alia*: “a single-angled divergent segment (B) having an outlet cross-section area (S) adapted to produce an instantaneous impact force external to the outlet cross-section (S) from the sudden discharge of the predetermined finite amount of air.”

In contrast, Lloyd discloses a double angled divergent segment (see, FIG. 3) not “a single angle divergent segment,” as recited in Claim 1. Likewise, Lloyd also discloses being adapted to discharge a continuous flow of air (see, Column 5, lines 39-41) not “a predetermined finite amount of air,” as recited in Claim 1. Finally, Lloyd discloses forming the shock waves inside the divergent part of passageway 6 at point 18 in order to muffle the sound before it leaves passageway 6 (see, Column 6, lines 11-54) and not “to produce an instantaneous impact force external to the outlet cross-section (S) from the sudden discharge of air,” as recited in Claim 1. Therefore, Applicant believes that the § 102(b) rejection of Claim 1 is overcome. Accordingly, the Examiner is respectfully requested to withdraw the rejection of Claim 1, and claims 2 through 8 that depend therefrom.

Regarding Claim 17, which has been amended to contain similar recitations to Claim 1, for at least those reasons given above for Claim 1, Applicant believes that the § 102(b) rejection of Claim 17 is also overcome. Accordingly, the Examiner is respectfully requested to withdraw the rejection of Claim 17, and claims 18 through 20 that depend therefrom.

Claims 2 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lloyd. For at least those reasons given above for Claim 1, Applicant

believes that the § 103(a) rejection of Claims 2 and 20 is also overcome. Accordingly, the Examiner is respectfully requested to withdraw the rejection of Claims 2 and 20.

Claims 8-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,830,230 to Simoens (“Simoens”) in view of Lloyd. In response to the rejection of Claims 8-16 under 35 U.S.C. § 103(a), a statement of common ownership is provided below to disqualify Simoens as a valid reference under § 103(a).

Statement of Common Ownership

Application 10/540,982 and Patent 6,830,230 were, at the time the invention of Application 10/540,982 was made, owned by Hervé Simoens.

Therefore, because the subject matter of Simoens relied upon in the rejection under 35 U.S.C. § 103(a) does not constitute prior art to the instant application, withdrawal of the rejection is respectfully requested.

Applicant believes all currently pending claims to be allowable and respectfully requests the Examiner formally withdraw the Final rejections and issue a Notice of Allowance to that effect for all of the currently pending claims.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T3572-908375US02) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

MILES & STOCKBRIDGE P.C.

By:

David R. Schaffer  
Reg. No. 43,089

1751 Pinnacle Drive, Suite 500  
McLean, Virginia 22102-3833  
Telephone: (703) 610-8627  
#4830-9100-1601v1